

Approved Minutes
Nevada State Emergency Response Commission
State Emergency Response Commission
2nd Quarterly Meeting
Professional Engineers & Land Surveyor's State Board Building
1755 E. Plumb Lane, Ste. 130
Reno, Nevada
April 8, 2004

Members Present

B. Jim Reagan
L. Tom Czehowski
Susan Crowley
Richard Mirgon
Larry Farr
Jim O'Brien
John Helmreich
Lawrence Jacobsen
Jolaine Johnson
Verl Jarvie via phone

Members Absent

Richard Brenner
Senator Nolan
Senator Rawson
Carl Byrd
Douglas Webb
Frank Siracusa
Brett Skinner

Guests

Stacey Giomi
Doyle Sutton
Michael Ardito
Craig Nixon

Staff

Karen Kennard
Cheryl Folkers
Glade Myler
Bruce Ferrel

I. Call to Order

Richard Mirgon called the meeting to order at 9:10 a.m.

II. Introductions

Introductions were made around the room as shown above.

III. Approval of January 8, 2004 Meeting Minutes

Senator Jacobsen motioned to approve the January 8, 2004 minutes. B. Jim Reagan seconded the motion, which was approved unanimously.

IV. Public Comment

There was no public comment.

V. New Business

A. Local Emergency Planning Committee Updates (Attending LEPC Representatives)

Douglas-

Mr. Mirgon reported the LEPC has had meetings dealing with Homeland Security grants. They are also in the process of rewriting the bylaws.

Elko-

No report.

Clark-

Jim O'Brien stated at the last LEPC meeting there was an attempt to change Clark County LEPC bylaws, which failed. The Terrorism Incident Response Plan was also adopted at the meeting. Last week they carried out a

	functional exercise involving radiological hazards in Laughlin, NV.
<i>Carson City-</i>	No report.
<i>Mineral-</i>	No report.

B. U.S. Environmental Protection Agency Update – Mike Ardito

Mike Ardito presented a handout and highlighted some of the issues:

- There have been nine presidential directives for Homeland Security in the last few years. The directive number eight requires more coordination of preparedness exercise with federal, local and state governments. Mr. Ardito stated EPA is working with Region IX and will try and get someone from Department of Homeland Security to teach a course on the nine directives at the Hazmat Explo conference this year.
- Risk Management Program Resubmittals are due to EPA in June 2004. Also, EPA will be providing a free course on the risk management program in San Francisco the week of July 26 – 29, 2004. There is no registration fee.
- The 2004 International Hazardous Materials Spills Conference which was to be held in San Antonio, TX on May 4-6, 2004 has been cancelled.
- On April 13, 2004 EPA Region IX will hold an open house for its new Regional Response Center in San Francisco.
- The January 2004 edition of the US EPA Pacific Southwest's "Emergency Prevention and Preparedness Update" is posted to the following web site:

<http://www.epa.gov/region09/waste/sfund/cepp/index.html>

C. U.S. Federal Emergency Management Agency Update – Todd Smith

Todd Smith was unable to attend the SERC meeting. James Macaulay of FEMA emailed to staff a handout which was provided to the Commissioners regarding updated information on FEMA Region IX.

D. Occupational Safety and Health Enforcement Update – L. Tom Czehowski

L. Tom Czehowski, OSHA, stated on March 8, 2004, OSHA changed its name from Occupational Safety and Health Enforcement to Nevada Occupational Safety and Health Administration. Also, the email address has changed from osha.gov to dol.gov.

E. Nevada Division of Emergency Management Update – Frank Siracusa
Frank Siracusa, DEM, was not represented at the meeting.

F. Nevada Division of Environmental Protection Update – Jolaine Johnson
Jolaine Johnson, NDEP, stated Tom Dunkelman is developing a Department Environmental Protection State Response Program. This program will train and equip staff to provide assistance at incidents. Ms. Johnson stated NDEP assisted Douglas County in the mercury spill, which went well. NDEP is also hiring a contractor to work on revising the Nevada Hazmat/Weapons of Mass

Destruction Response Plan. They are also working on preparing a Homeland Security grant for additional monitoring equipment and to cover Tom Dunkelman's salary.

G. Nevada State Fire Marshal Update – Doyle Sutton

Doyle Sutton, State Fire Marshal, apologized for the lack of participation in the past at the SERC meetings. Currently the Fire Marshal's Office is working on rewriting Nevada Administrative Codes (NAC). Mr. Sutton stated the division filled the last three Hazmat Deputy I positions which were approved by the Legislature last session. There have also been promotions within the Fire Marshal's Office. Mr. Sutton stated they have improved the training program and there are no outstanding issues.

H. California State Emergency Response Commission program update

Ms. Kennard stated Mike Ardito, EPA, sent out an invitation to the California SERC to have them come to our meeting to give an update and to observe one of our meetings. Staff received a letter from the California SERC stating they were unable to attend the Nevada SERC meeting. It was suggested to have staff invite State Emergency Response Commissions from other states to our meetings.

I. Legislative Committee Report

1. Discussion/Action on possible modification to Nevada Administrative Code or Bill Draft Request to include maximum fee on Toxic Chemical Release Reports

Mr. Mirgon explained currently there is no cap on the Toxic Chemical Release Reports. The maximum fee was originally written into the proposed NACs, however LCB Legal Division objected because there is no legislative authority. The SERC may request a hearing with the Legislative Council Legal Commission or process a Bill Draft Request. After discussion, Mr. Farr motioned to process a Bill Draft Request to include TRIs in the maximum fee to be collected. Mr. O'Brien seconded the motion which was approved unanimously.

2. Discussion/Action to provide the Legislative Committee with authorization to approve any Bill Draft Request, as appropriate, to meet May 3, 2004 deadline with presentation to be made at the next SERC quarterly meeting.

The Legislative Committee has a combined meeting with the Policy Committee scheduled for April 21, 2004 and would like authorization to approve a Bill Draft Request if recommended. Mr. O'Brien motioned to provide the Legislative Committee with authorization to approve any Bill Draft Request, as appropriate, to meet May 3, 2004 deadline with presentation to be made at the next SERC quarterly meeting. Mr. Farr seconded the motion which was approved unanimously.

J. Strategic Planning Committee Report

The Committee has not met since the last SERC meeting.

K. Funding Committee Report

1. Discussion/Action of 2005 SERC grant applications and review of Funding Committee's recommendations

Ms. Kennard stated the Funding Committee approved over the amount available by \$19,000. Based on previous grant periods, the grants have not been completely utilized, so there will not be a problem funding the awards. The Funding Committee is recommending \$281,000 in SERC grant requests. There is approximately \$262,000 available in SERC grant funds. Mr. Farr motioned to award funds for the 2005 SERC grant applications as recommended by the Funding Committee and if necessary use any reserves to make up the difference in the amount of grant requests. Mr. O'Brien seconded the motion which was approved unanimously.

2. Discussion/Action of 2004 USDOT Hazardous Materials Preparedness Grant and review of the Funding Committee's recommendation

After discussion, Mr. Farr motioned to award funds for the 2004 USDOT Hazardous Materials Preparedness Grant as recommended by the Funding Committee. Mr. O'Brien seconded the motion which was approved unanimously.

L. Bylaws Committee Report

The committee has not met since the last SERC meeting.

M. Information Technology Committee Report

1. Discussion/Action on recommendation from Information Technology Committee to authorize staff to work with the State Fire Marshal's Office to coordinate implementation of online renewals and payments through Nevada Chemical Facility Data Base (NCFD)

Ms. Kennard stated there were extra hours left over from the hours SERC budgeted for Information Technology. The Committee recommends using the extra hours to help the Fire Marshal's Office prioritize requests such as online renewals and payment ability. Mr. O'Brien motioned to authorize staff to work with the State Fire Marshal's Office to coordinate implementation of online renewals and payments through (NCFD). Ms. Crowley seconded the motion which was approved unanimously.

2. Discussion/Action on recommendation from Information Technology Committee to authorize staff to work with the State Fire Marshal staff to develop a Request For Proposal (RFP) to use funds from the Contingency Account for Hazardous Materials reserve category to hire a consultant to review the Nevada Chemical Facility Data Base

The Committee recommends staff work with the Fire Marshal's Office to hire an outside consultant to evaluate NCFD and to authorize funds from the contingency account to fund the request. Mr. O'Brien motioned to authorize staff to work with the State Fire Marshal's Office to develop a RFP to use funds from the contingency account reserve category to hire a consultant to review NCFD. Ms. Crowley seconded the motion which was approved unanimously.

N. Outreach Committee Report

The Committee has not met since the last SERC meeting.

O. Policy Committee Report

1. Discussion/Action on recommendation from Policy Committee regarding revision of SERC Policy 8.1, Plan Review

After review of the changes in policy 8.1, Mr. Farr motioned to accept policy 8.1 as recommended by the Policy Committee. L. Tom Czehowski seconded the motion which was approved unanimously.

2. Discussion/Action on recommendation from Policy Committee regarding SERC Policy 8.2, Grant Applications, Grant Awards and Policy 8.5, Funding of Grants

After review of the changes in Policy 8.2 and 8.5, Mr. Farr motioned to accept policy 8.2 and 8.5 as recommended by the Policy Committee. Ms. Crowley seconded the motion which was approved unanimously.

P. Discussion/Action on revision of bylaws to delete reference to Nevada Revised Statutes 458.390(5) which does not apply to SERC

Ms. Kennard stated Mr. Myler discovered the reference to 458.390(5) did not apply to SERC. Staff is recommending deletion of the sentence, "These bylaws are created and adopted in accordance with NRS 458.390(5)." After review of the bylaws, Mr. O'Brien motioned to accept the revision of the bylaws to delete reference to Nevada Revised Statutes 458.390(5) which does not apply to SERC. Ms. Crowley seconded the motion which was approved unanimously.

Q. Discussion/Action on recommendation of the Planning and Training Subcommittee to use FEMA exercise form as standard exercise report form to SERC

Ms. Kennard stated the Planning and Training Subcommittee recommends approval of the standard FEMA exercise form. After review of the form, Mr. Farr motioned to have the Planning and Training Subcommittee to review the first page and modify it to fit SERC needs. Mr. Helmreich seconded the motion which was approved unanimously.

R. Executive Director's Report – Karen J. Kennard

Ms. Kennard updated the Commission on the following:

- The Department of Motor Vehicles (DMV) has collected 953 signatures for the "United We Stand" license plate. The production of the license plate has been set back to November. DMV will have to remove the roof in order for 3M to get the equipment into the building.
- The Nevada Administrative Codes were final on March 26, 2004.
- Staff has provided LEPC Handbooks to all LEPCs and Commission members. Updates will be sent when changes are made to the handbook.
- The Illinois lawsuit is continuing with discovery cutoffs in May.

- Staff is looking to do a presentation at the Nevada Association of Counties meeting in November. The presentation will give the Nevada Association of Counties an idea of the functions of the LEPCs and SERC.
- The last testimony for the LCB audit was in February. There is still an issue of the collection of delinquent fees. With the help of Public Safety Technology Division, staff will be able to pull the delinquent fee list.
- There have been new members added to the SERC committees. Staff will start putting the names of the committee members on the agendas.
- A meeting was held with the State Fire Marshal's staff in regards to the interlocal agreement.
- The process of the new Emergency Operations Center has begun. Staff has had meetings in regards to wiring, phones, space allocations, moving expenses, etc.
- The state budget process has started. There will be requests for enhancements on the move, revenue from the license plate, and the website. The website is almost complete there are a few issues being worked on.

Northern California Civil Support Team will be conducting an exercise in Reno in June. Mr. Farr will provide information. It was stated the Arizona Civil Support Team will be training in Nevada for eighteen months with the new Nevada team.

Bruce Ferrel, SERC, conducted audits on Washoe, Storey, Mineral and Esmeralda LEPCs. There were no problems with the audits.

VII. Adjournment

Mr. O'Brien motioned to adjourn the meeting at 11:08 a.m.